

# EXHIBIT H

1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3       IN RE:    PROCESSED EGG PRODUCTS   :  
4       ANTITRUST LITIGATION               :  
5       -----:   MDL No. 2002  
6       THIS DOCUMENT APPLIES TO:         :   08-MD-02002  
7       ALL ACTIONS                         :

8                       -- HIGHLY CONFIDENTIAL --

9                       Thursday, June 27, 2013

10  
11                      Continued videotaped deposition of  
12       GENE W. GREGORY, taken at the offices of  
13       Pepper Hamilton LLP, 3000 Two Logan Square,  
14       18th & Arch Street, Philadelphia,  
15       Pennsylvania 19103, beginning at 8:08 a.m.,  
16       before LINDA ROSSI RIOS, RPR, CCR and Notary  
17       Public.

1           GENE W. GREGORY - HIGHLY CONFIDENTIAL  
2       now and have been, I don't know, for, I don't  
3       know, maybe it's a couple years now, I'm not  
4       sure.

5           Q.           Why did they change their  
6       position on the 100 percent rule?

7                       MR. OLSON:   Objection to form.

8                       THE WITNESS:   I don't know all  
9       of it, but the series of events was  
10      that, you know, I hate to -- these  
11      kind of things have come up.   There  
12      was undercover investigation done by  
13      an animal activist that somehow or  
14      another got into Sparboe farm, did a  
15      video, obviously like all of them,  
16      it's not a fair representation of the  
17      company.   But that video was turned  
18      over to Brian Ross, and I believe he's  
19      with ABC News.   Anyway ABC or Brian  
20      Ross did this big evening news show  
21      about the Sparboe Company and about  
22      their animal welfare programs or food  
23      safety programs, and I don't remember  
24      all of it, what was on it anyway, it  
25      just -- the company itself I think

1 GENE W. GREGORY - HIGHLY CONFIDENTIAL

2 poorly represented themselves in that  
3 response to that, and they quickly  
4 lost customers. And Beth now by this  
5 time is the president of the company,  
6 and her husband Bob made a phone call  
7 to me and said I would like to meet  
8 with you, we need to apologize for  
9 everything, all the things we've said  
10 bad about UEP, and we've been wrong  
11 all along about this, we need your  
12 help. I explained that based on all  
13 the things you've done to us, why  
14 would I want to help you.

15 We had a conversation on the  
16 phone and I said, you know what, Bob,  
17 I like you, and it's my duty to help  
18 companies that are in trouble. So I  
19 will meet with you if my attorney  
20 permits me to do so. I said, where do  
21 you want to meet? He said, I'll fly  
22 today down to Atlanta to do it.

23 So I made a call to my attorney  
24 and said, hey --

25 BY MS. LEVINE:

C E R T I F I C A T E

I do hereby certify that I am a Notary Public in good standing, that the aforesaid testimony was taken before me, pursuant to notice, at the time and place indicated; that said deponent was by me duly sworn to tell the truth, the whole truth, and nothing but the truth; that the testimony of said deponent was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the deposition is a true and correct record of the testimony given by the witness; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.

WITNESS my hand and official seal this 9th day of July, 2013.

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Notary Public